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The intersections of gender equality and cultural diversity

Siim, Birte

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Title: The challenges from globalization and migration – the intersections of gender equality and cultural diversity

Professor Birte Siim, Institute for History, International and Social Studies, Aalborg University.

Abstract

Globalization and migration has increased diversities and inequalities within and between nation states and has created new problems for public policies to regulate political and socio- economic problems on the national and global levels. The paper addresses the challenges from globalisation and immigration focusing on intersections between gender and diversity. The double objective is first to revisit notions of citizenship, nationality and belongings in the light of local-global relations and multiculturalism and secondly to discuss the intersections of gender equality and diversity from the Nordic context.

The first part of the paper illuminates the theoretical debates about globalization and migration from a perspective of gender, diversity and intersectionality. It is argued that globalization, increased migration represent a theoretical, normative and political challenge to gender equality because it has exacerbated conflicts between equality and diversity in and between the national, trans-national and global arenas. Classical concepts in social and political theory, like democracy, citizenship, the welfare state, feminism have been premised on the nation state. The second part looks at intersections of gender and diversity from the Nordic context focusing on immigrant women's struggles for recognition, equal citizenship and voice. Nordic state feminism is characterized by women's participation in politics and inclusion in the political elite and the Nordic welfare states are often perceived as paradigmatic cases of gender equality both in the EU and globally. It is therefore paradoxical that recent research reports and projects conclude that integration of ethnic minorities as equal citizens has failed in all the Nordic countries at the labour, market, in politics and society. The paper explores this Nordic 'gender equality dilemma' between gender equality and diversity by looking at the framings of debates about Muslim women's headscarves in Denmark and Norway'. The conclusion returns to the multilevel and trans-national level. It reflects on theoretical models and normative strategies to overcome the tensions in social justice between universal principles of equality and the particularism of places and spaces, as well as the tensions between gender equality, cultural recognition and political participation.

Introduction

Globalization and increased migration represent a major theoretical and political challenge to gender equality because of the increased inequalities in and between the national, trans-national and global arenas, for example between North and South, East and West. Many of the classical concepts in social and political theory, like democracy, citizenship, the welfare state have been tied to the nation state and even some of the more recent concepts like diversity and intersectionality are often premised on a nation state frame. The main argument of this paper is that gender research in the new century needs to go beyond what the German sociologist Ulrich Beck has been called ‘methodological nationalism’ (Beck 2002). This means developing new theoretical frames. One of the challenges is to understand how gender and diversity at the national level is linked to processes of globalization – from both the normative perspective of international feminism – as well as from a theoretical perspective.

This paper has a double objective: It aims to contribute to the theoretical debate about gendering globalisation and migration as well as to debate about the meanings of framings of globalization and immigration from the Nordic context. In the first theoretical part the purpose is to discuss the meaning of globalization and migration from a perspective of gender equality. The paper explores two theoretical and methodological dilemmas ‘*the global-local dilemma*’ and ‘*the multicultural dilemma*’ and discusses their interrelations and gendered implications. In the second part the focus is on the Nordic context where gender equality has been a key aspect of the model of welfare and democracy. The argument is that increased immigration has created a Nordic ‘gender equality dilemma’ between national gender equality policy frames and diversity frames. The debates about Muslim Headscarves in Denmark and Norway can illuminate the conflicts between gender equality and cultural diversity. For example tensions between principles of equality and the right of minority groups to practice their religion and culture.

The first theoretical part starts by introducing Ulrich Beck’s reflections on the local-global dialectic and discusses different approaches to gendering globalization and migration. Secondly it gives a short overview of debates about multiculturalism and women’s rights. Finally I explore different approaches to diversity and intersectionality. I find that the emphasis on multidimensional (in)equalities and discriminations is one important step that needs to be developed further and in the light of the contradictory logic of globalization and Europeanisation.

In the second part I address the Nordic ‘gender equality dilemma’ to link principles of gender equality with recognition of the cultural and religious diversity of immigrants and ethnic

minorities. The Nordic countries are interesting laboratories, since they have been considered to be models regarding gender equality. In spite of this they have all failed to integrate immigrant minorities in democracy, on the labour market and in society. This Nordic 'gender equality dilemma' (Siim 2007) is explored in greater detail through an empirical case that compares debates about and framings of Muslim women's headscarves in Denmark and Norway (Siim & Skjeie 2008). The cases illustrate the influence of the national settings in terms of history, institutions and collective mobilization and identities. At the same time the comparison of the national discourses and regulations of Muslim women's headscarves illustrate the importance of differences in the policy framings and in the role of women's agency. In spite of the fact that Denmark and Norway have the same welfare and gender models and relatively similar state-religion relations, the two countries have different framings of equality and diversity. I argue that the Norwegian case points towards a promising strategy that links national concerns about gender equality with universal concerns about religious discrimination of minorities.

Theoretical debates - the challenges from globalization and migration to citizenship

In this section I will address two interconnected dilemmas from a gendered citizenship perspective: One is the 'local-global dilemma' and the other 'the multicultural dilemma'. The theoretical starting point for my own work has been rethinking the concept of citizenship from a gender perspective emphasising the interconnections between social welfare rights, democratic participation and belongings as well as through citizenship analyses from the comparative Nordic and European context (Siim 2000; Lister et al. 2007). I have focused on the inclusion and exclusion of citizens in democracy and society, studying in particular the inclusion of women and immigrants and minorities with a different culture and religion from the (Danish) majority in democracy and society.

The studies of gender and migration have illuminated the weaknesses in established theoretical frames because key concepts in social and political theory like citizenship, welfare state and democracy are premised on the nation state and need to be reconceptualized from the perspective of globalization. Citizenship is multilayered and the spaces of citizenship stretch from the domestic sphere through the national and European level to the global (Lister 2007; Yuval-Davis 2007). Trans-nationalist citizenship refers to rules beyond the boundaries of the nation state, for example the institutions of the European Union, and the trans-national space is the space beyond the limits of the nation state (Siim 2007). Trans-nationalism challenges established research

paradigms connected to the nation states and arguably the challenge for gender research is to focus on diversities among women within and between nation states, for example between women in the North and in the South, East and West.

Migration is a transnational phenomenon where people increasingly move across borders, and research has emphasised the important linkage between the external and internal dimensions of migration (Soysal 1994). Migration can thus be used to illustrate the growing interconnection between the global, national and local arenas, and migration processes can contribute to illuminate the linkages between classical social science concepts like social rights, political practices and belongings. Globalization is contested and the meanings of globalization need to be discussed from different contexts and theoretical paradigms. The following section addresses the methodological nationalism in the social sciences and discusses research strategies to overcome this bias and address local, national and global processes.

‘The local-global dialectic’

One interesting and provocative analysis of the effects of globalization for the social sciences and for our understanding of the world is presented by the German sociologist Ulrich Beck. He has in several books and articles analysed the interconnection between global and the local processes and he has explored the meaning of what he calls ‘internal globalization’. For example in the article “The Cosmopolitan Society and Its Enemies” (2002). Here he defines *globalization* as:

“A non-linear dialectical process in which the global and the local do not exist as cultural polarities but as combined and mutually integrating principles. These processes involve not only interconnections across boundaries but transform the quality of the social and political inside nation-states societies” (Beck 2002, p 17)

Beck has introduced the notion of cosmopolitanism, which in his understanding refers to internal globalization “globalization from within the national societies”. For Beck what he calls the cosmopolitan thesis is an important methodological concept, which can contribute to overcome the dominant methodological nationalism in the social sciences and to analyse new conflicts, dynamics and structures in what he calls the Second Modernity. He has defined *methodological nationalism* as a concept, which refers to ‘the explicit and implicit assumption that the nation-state being the power-container of social processes and the national the key order for studying major social,

economic and political processes'. I have been inspired by Beck's concepts and would like to discuss their implications for empirical research.

Beck has discussed the implications of the 'local-global dialectic', which has been coined 'glocalization', for social science research. He has argued convincingly that there is no need to investigate the global totally globally. Instead he proposes that we should organize a 'historically sensitive empiricism' to study the ambivalent consequences of globalization in cross-cultural and multi-local research networks. This seems like a fruitful research strategy, although it is often difficult to follow this strategy in practical research.

According to Beck the cosmopolitan societies experience many dilemmas, but in this paper I address only 'the local-global dilemma' and 'the multicultural dilemma' and discuss relations between the two. The local-global represents one of the crucial dilemmas for cosmopolitan societies, because of the diaspora question: how will being at home far away - being at home without being at home be possible? He finds that the 'multicultural dilemma' represents another crucial dilemma, because multiculturalism fosters an individual that remains dependent on his cultural space. The notion of internal globalization is one way to integrate the two dilemmas that needs to be explored in greater detail as well as the gendered implications of internal globalization.

Beck's reflection on the new dilemmas is insightful and suggestive, although it is difficult to follow what the implications of this analysis are for empirical research. He often moves between a macro-sociological theoretical and a micro-sociological frames and focuses on the implications of the macro-changes on the micro-level of individuals. For example the argument that we need to develop a new 'cosmopolitan manifesto' based upon what he has called a 're-invention of politics'. The emphasis is here on the founding and grounding of a new political subject, which he names 'the cosmopolitan political parties' that should be able to work both at the national and transnational level, and which are at the same time national social movements and cosmopolitan political parties.

I find that the strength of Beck's approach to the local-global logic is its ability to make new conflicts, dynamics and structures visible, whereas his political strategies less convincing. One of the reasons for this could be the methodological design. Beck is primarily interested in the implications of macro-sociological changes on individual identities at the micro-level and he does not sufficiently address what happens at the third meso-level of society, which includes political institutions, policies, discourses and structures. Arguably this meso-level can

provide a theoretical and methodological link between macro-sociological changes and micro-sociological identities of individuals.

Gendering globalization – different approaches

Feminist scholarship has analyzed the gendered effects of globalization, European integration and migration (Liebert, 2003; Walby 2004; Lister et al 2007), although the different feminist approaches to globalization with a few exceptions (Sassen 2001) has not been able to influence the larger globalization debates. One approach has addressed the implications of globalization for women's labour market position, often emphasising convergent trends and negative effects of neo-liberal policies for the marginalization of migrant women workers and feminization of poverty (see Kofman & Youngs, 1996). Another approach has addressed political globalization and the barriers and potentials of global processes for women's trans-national struggles, often focusing on the new transnational sites to strengthen gender equality and expand women's rights across nation states, for example through the EU gender regime and the human rights regime (Liebert, 2003; Walby 2004; Squires 2007).

Here I will give only one example of a theoretical analysis of the gendered implications of globalisation from a perspective of international politics and international relations. The British political scientist Kimberly Hutchings (2008) has recently given an interesting overview of feminist thinking about globalization in international politics/relations. In the recent article "Cognitive short cuts" she asks why there has been a neglect of gender and feminist perspectives about globalization in international politics/relations. Her answer refers to the dominant 'logic of masculinity' in main-stream theoretical frames. The argument is that without the logic of masculinity grand theorists of international politics, like realist and post-marxist thinking, would have to work much harder in order to persuade us about the accuracy of their interpretations of the times.

The article goes on to discuss two theoretical approaches to masculinity in international relations: One that focuses on masculine identities as the explanations of masculine praxis, and the other that focuses on masculinity as the hierarchical mode for the exclusion of the feminine. The problem is how to connect the two aspects of the analysis. According to Hutchings one way to link the two has been to see what masculinity does as rooted in what masculinity is. Although the notion of hegemonic masculinity developed by Bob Connell provides a link between

the two aspects, Hutchings finds that the nature of the link between the two explanations is still a puzzle.

Hutchings main argument is that masculinity works as a cognitive shortcut in our framework for understanding the world. The meaning of masculinity is embedded in the logic of contrast and contradiction and thus masculinity becomes a resource for thought that saves a great deal of work in making explanations persuasive. She concludes that understanding international politics, and globalization, in terms of the logic of masculinity locks our social scientific world into a familiar world in which we already know how things work ontologically in terms of value hierarchies. She emphasised that the logic of masculinity is interlocked with other conceptual schemes grounded in binary oppositions, like 'civilians' and 'barbarians'.

The logic of masculinity is a powerful metaphor, but one question to Hutchings' theoretical approach is whether masculinity is the dominant frame and how it intersects with other binary oppositions. One disturbing question is whether the logic of masculinity after 9/11 the terrorist attack on the World Trade Centre has increasingly been replaced by or linked with a new contradiction premised on 'the clash of civilizations thesis', which defines the main opposition between 'them vs. us', between East and West, between Islam and Western civilization. Another question is how gender equality has increasingly become a marker that is used to differentiate between the West and the rest of the World. The new global political reality raises many challenging issues for gender research. For example how gender is linked to other differentiating and inequality creating categories like ethnicity/race, nationality and religion, in particular to cultural and religious differences represented by Islam. One way for feminist thinking to address these issues has been through the diversity and intersectionality frames that will be addressed later (Verloo 2005 et al; Yuval-Davis 2007, Squires 2007).¹

The multicultural paradigm

In social and political theory there is often a hierarchy of principles. Liberal pluralism has emphasised the diversity of ideas but does usually not addressed the diversity of social groups. Liberal feminism has analysed the meaning of the gender differences for liberal theory but has only recently addressed cultural and religious diversity between social groups. Migration theorists have generally given priority to universal principles of ethnic/racial equality above gender equality

¹ See for example the special Issue on Intersectionality, *European Journal of Women's Studies* (EJWS) 2006.

whereas gender equality takes priority in feminist theory and often becomes a non-negotiable principle (Phillips 2005).

One way to deal with diversity of religious and cultural groups is through the multicultural paradigm, for example in Will Kymlicka's work on *Multicultural Citizenship* (1995). Will Kymlicka is an influential Canadian political theorist and his theoretical approach transcends liberalism and presents a combination of individual rights with the Communitarian approach emphasising the protection collective rights. The concept of multicultural citizenship (1995) presents a defence of ethno-cultural group rights for indigenous peoples, like the Aborigines and Indians, and the poly-ethnic rights of new immigrant groups. The later notion of diverse citizenship (Kymlicka & Norman eds. 2000) expands this approach to include different kinds of minority groups and different forms of minority rights. Kymlicka's approach includes different ways to respect diversity for different groups, and he has introduced a useful distinction between external protections of minority groups and internal restrictions of individual rights within minority groups. He argues that the state needs to protect the collective right of minorities against the majority through external restrictions on the majority, for example through representation rights and language rights. He has later emphasised that he is against collective rights that impose 'internal' restrictions of individual rights/autonomy within the group (1999; 31-34).

The multicultural paradigm was criticised by the American feminist scholar Susan Moller Okin who wrote a provocative article "Is multiculturalism bad for women?" (1999). In the article she claimed that there is a contradiction between multiculturalism, defined as protection of the cultural rights of minorities, and women's rights provoked an intense debate in the US (see Cohen, 1999), which later spread to Europe. Many scholars interpreted Okin's article as an attack on the multicultural paradigm and group rights from a liberal feminist perspective. The claim was that group rights such as forced marriages and polygamy are potentially and, in many cases in practice, anti-feminist and harmful for women. First, group rights strengthen men's patriarchal control over women in minority cultures, and second it is the most powerful men who formulate the interests, values and practices of the group.

In his response to Okin Kymlicka argued that feminism and multiculturalism are potential allies in a struggle for a more inclusive concept of justice based upon a combination of individual and collective rights that takes account of both gender-based and ethnic diversity. Okin was heavily criticised by different scholars, including many feminists, who argued that her approach was based upon an essentialist perception of 'culture' and that her analysis forced

minority women to choose between 'my rights and my culture'. She has later modified and contextualised her position emphasising that she is not against collective rights per se and that one of her main points was that women should have a voice in negotiations between the majority and minority cultures about groups rights (2005; 88-89).

Recently there has been a growing concern in political and gender theory framed as "the paradox of multicultural vulnerability", i.e. that vulnerable social groups' needs and interests can be undermined by group rights (Schacher 2000; 2001), especially about ensuring that women and other vulnerable groups have a voice and influence both in minority cultures and in society (see for example Eisenberg et. al. 2005; Modood et. al.2006). Feminist scholarship has emphasised that women in minority cultures need to be respected both as culturally different from the national majority and to be treated as equals by both the majority and minority cultures.

The British political theorist, Anne Phillips, has noted that it is a theoretical and political problem if gender equality becomes a non-negotiable condition for any practices of multiculturalism (Phillips 2005; 115). In her most recent book Phillips (2008) argues somewhat provocatively that we need a new notion of 'multiculturalism without culture', because cultural conflicts are not deep value conflicts but political conflicts about competing principles that need to be negotiated between social and political actors.

The stated aim of the book is to restore a form of multiculturalism that can create greater social equality across groups but at the same time places the individual at the core, upholding central feminist goals and visions. In this approach 'groups' and 'culture' are not fixed entities but understood in a fluid way and the rights that matter in developing a case for multiculturalism are those of individuals not groups. The book discusses three different responses to the subjugation of women within cultural and/or religiously defined groups: a) Regulation, b) exit and c) dialogue. She finds that dialogue is a preferable approach to multicultural dilemmas – where people from different cultural backgrounds explain to each other why they favour particular law and practices, and develop the skills of negotiation and compromise that enable us to live together.

Phillips approach to the dilemmas of feminism and multiculturalism is to understand them as competing equality claims (2008) is a good starting point. I agree with Phillips that problems of how to negotiate gender equality with recognition of cultural diversity are democratic problems that should be solved by negotiations and should be analysed as competing equality claims. It is promising that political and gender theory is becoming more sensitive to the contextual

nature of cultural conflicts and to the different intersections of gender, ethnicity, religion and family values (sees Phillips 2005).

One strategy to advance debates in political theory and gender theory about the tension between women's rights and multiculturalism has been through comparative research that explores the intersections of gender equality and cultural recognition of ethnic minority women cross-nationally by looking at the intersections between political institutions, agency and identities (Lister et al. 2007). I find that this is important to conceptualize political theoretical debates this is not enough. Social scientists need to develop a double research strategy, which is able to address both the common challenges from globalization and migration as well as on national policy responses to these challenges. We also need a more dialectical perspective on globalization that explores the contradictory logic of globalisation. For example that gender equality can on the one hand be threatened by diversity but at same time globalization also represent new possibilities for gender equality, which has become part of a new transnational diversity agenda (Squires 2007).

Diversity and intersectionality frames

The British political theorist Judith Squires (2007) has recently analysed globalization from the perspective of gender equality. Her book gives an overview of the global gender equality breakthrough by national governments, international organizations like the UN and transnational structures like the EU. The main argument is that there is a new global gender equality agenda, which is spread by three key strategies; *gender quotas, women's policy agencies and gender mainstreaming*. The book gives an excellent illustration of the contradictory logic of globalization: On the one hand, feminist concerns have contributed to the transformation of institutional norms and practices but at the same time basic concerns about democratic justice have been supplanted by arguments and ideologies of "women's social utility".

One important conclusion is that that the political emphasis on gender inequality is gradually being extended to multiple inequalities. This is illustrated by recent developments in the EU, which is one of the main institutions for mainstreaming multiple inequalities. Article 13 recognizes six strands as requiring measures to combat discrimination: *sex, racial and ethnic origin, disability, age, religion and sexual orientation*. These equality strands forms the basis for *a new political diversity agenda*. The implications are that nation states should address not only multiple forms of discrimination but also consider the interaction between strands and policies to combat multiple intersecting forms of discrimination are emerging as central political priority across EU

member states. This political development has placed the notion of intersectionality as a central theoretical frame for feminist theory and research (Verloo 2007).

Intersectionality has become an influential theoretical approach that has contributed to conceptualize the increasing diversity among women. It is a multifaceted concept with many meanings that has largely been confined within a nation state frame (see EJWS, 2006). The concept was developed by feminist scholars in the US and the UK by black feminists as a way to articulate intersections between gender and race/ethnicity, between capitalism, racism and patriarchy, between multiple identities and group politics (Crenshaw 1989). During the 1990s intersectionality was adopted by poststructuralist approaches and today there is a plurality of intersectional theory. The two major approaches, that have been named the 'systemic' and 'constructivist' approach (Prins 2006), focus either primarily on macro-structures or primarily on individual identities, and only a few investigations have been able to overcome the dominant dualism in feminist thinking and study the dynamic interrelations between structures, institutions and subjectivity, as well as the dualism between the national and the global arenas.

One exception is Nira Yuval-Davis who has explicitly conceptualized intersectionality from the trans-national level in her analysis of gender and nationality, citizenship and 'politics of belonging' (2005). Her approach focuses on the intersections of gender, ethnicity and nationality and she argues that human beings are members of multiple social and political communities. She emphasises that social differences expresses different axis of power and should be analysed on different analytical levels, institutional- and organisational, structural and individual levels of identities and experiences.

Intersectionality is a travelling concept, which has acquired various meanings in different contexts, and it can be associated with different methodologies and epistemologies: At one systemic level it has been used to analyse the intersection of gender and ethnicity/race as social structures, for example intersections of racism and patriarchy as social systems in the US and the UK, and it has become a key concept in postcolonial analyses of the dominant majority and subordinated minorities. At the micro-level the notion intersectionality has been employed in poststructuralist analyses of the intersections of differentiating categories and multiple belongings at the level of individual identities.

The British feminist scholar Ann Phoenix concludes that it is now widely accepted that an intersectional approach is important to understand social relationships, because it establishes "that social existence is never singular, but rather that everybody belongs simultaneously to

multiple categories that are historically and geographically located over time” (Phonix 2006; 28). I agree that developing historical and cross-cultural frameworks is one strategy to overcome the existing dualism in the dominant theoretical frames between culture and structure, between ‘systemic’ and ‘constructivist’ approaches. I would add that cross national studies need to develop a double research strategy able to link historical sensitive empirical studies with global political, economic and cultural processes in order to overcome ‘methodological nationalism’ and avoid reproducing existing national boundaries. This could be by analysing peoples multiple belongings, positions and activities both on local, national and transnational arenas.

The challenges from migration from the Nordic context

Migration and increased diversity represent special challenges to the Nordic countries² that have been relatively homogeneous concerning language, religion and ethnicity compared to most European countries. Immigration from non-western countries did not come on the political agenda till the arrival of guest-workers from Middle East in the 1960s. The increased diversity in the populations and the subsequent marginalisation of migrants and refugees on the labour market, in politics and society represents serious problems for the Nordic welfare model that has often been perceived to be a model for social equality, democratic citizenship and gender equality (Siim 2007; Borchorst & Siim 2008).

The Nordic welfare states are said to belong to the same welfare and gender model (Borchorst & Siim 2008), but they have different approaches to migration with Sweden being the only country that has officially adopted a multicultural politics (Hedetoft et. al, 2006). Here state and church was separated in 2003 and the right to a dual citizenship was adopted in 2001. In spite of Sweden’s more open approach to globalisation research indicates that one of the key problems in all the Nordic countries is ‘failed integration’ (Brochmann and Hageman 2004).

Nordic scholars have started to analyse whether state feminism has contributed to strengthen the claims for recognition of ethnic minority women and to what extent democratic opportunity structures are open to all women (Siim 2007; Skjeie 2006; Siim & Skjeie 2008). In spite of Danish exceptionalism on migration and family-unification, studies of the lived citizenship of ethnic minority women has identified common problems connected to the Nordic gender equality norm, women’s rights and multiculturalism (Bredal 2005; Siim, 2007). A recent investigation of gender equality policies and multiculturalism in Sweden, Denmark and Norway (Langvasbråten

² The five Nordic countries are: Denmark, Norway, Sweden, Finland and Iceland. The three Scandinavian countries are Denmark, Norway and Sweden.

2007) concludes that neither the Swedish, Danish nor Norwegian gender equality policies can legitimately claim to live up to Hernes' vision of 'women-friendly societies', where injustice on the basis of gender would be eliminated without an increase in other forms of inequalities, such as among groups of women (Hernes 1987; 15). Immigrant women are marginalised on the labour market, in the public arena as well as in relation to democratic politics and this marginalisation has raised critical questions to the Scandinavian gender model: *Who has the power to represent and define what is women's interests and what should be defined as gender equality.*

The intersectionality approach has become an influential research strategy to address increased diversity among women but it needs to be developed further from the Nordic context and to be linked to global processes, for example to colonialism and post-colonialism. Differences are not interchangeable and different differences have different meanings and logics and should be explored from different contexts. One illustrative example is the intersections between gender, ethnicity/race, which has different logics in the Nordic countries than in the US and the UK. The latter are old immigrant countries with comparable strong traditions for multiculturalism but a relatively weak tradition for social and gender equality. This contrasts with the Nordic countries that are new immigrant countries with comparatively strong traditions for social equality, including gender equality, and relatively weak traditions for recognition of cultural and religious diversity. In the following I will briefly illustrate the potentials and limits of the intersectionality approach by looking at debates about Muslim women's headscarves in Denmark and Norway.

*Debates about Muslim Women's Headscarves in Denmark and Norway*³

This section compares the arguments in the Norwegian and Danish debates about the rights of employees to wear the *hijab* to work. The purpose is to discuss the different framings of the intersection of gender and ethnicity in the two debates: 1) what were the arguments, 2) what were the underlying framings and 2) what has been the role of actors in the framing of debates. For example: What explains that the Danish employers won the arguments with a frame emphasising 'the right to decide on an objective dress-code' on the private workplaces over arguments from 'a religious discrimination frame'. And what explains that arguments and frames referring to 'indirect religious and gender discrimination' were stronger in Norway than in Denmark and that the

³ This section is based upon the article with Hege Skjeie "'Tracks, intersections and dead ends. State feminism and multicultural retreats in Denmark and Norway", *Ethnicities* vol. 8:3.

arguments of the employers were weaker? In the conclusion I link the Nordic debates to the transnational European arena.

Denmark and Norway have state churches, relatively strict citizenship rules, which limits access to the countries and have both adopted integration policies based upon principles close to ethnic assimilation. The Danish migration and integration policies have, especially since the change of government in 2001, gradually become more restrictive with demands that ethnic minorities conform to Danish values and norms (Mouritzen 2006, Siim 2007). The public debates have been focused on two issues: a) conflicts at the labour market and court cases about the right of employees to wear *hijab* to work vs. the right to practice their religion, and b) the meaning of *hijab* as either a symbol of gender oppression or as a symbol of minority women's culture and religion. In contrast to France and Germany, there is no regulation of *hijab* in public institutions in the two countries. In France and Germany the main debates have been about the right of teachers and pupils to wear the *hijab* in public schools and institutions (Berghahn 2008).

There are important political cultural similarities in the Danish and Norwegian country cases. In both countries the extreme Right, in Norway the Progress Party and in Denmark the Danish Peoples Party, has proposed legal bans against the use of Muslim women's headscarves in public schools. And in both countries the population is sceptical towards Islam. In Norway the Progress Party is one of the biggest parties and according to surveys its attitudes towards a ban of *hijab* is supported by 60 % of the population. What differentiates the two is first the composition of the political elite, because the Danish government in contrast to the Norwegian is dependant on the extreme Right. Secondly, Norway has a strong religious tradition that includes a religious pluralism, which supports the presence of religion in the public arena that we do not find in Denmark.

The differences in the countries' political culture, history and institutions can contribute to explain why different frames became dominant in the two cases but it is not enough (Siim and Skjeie 2008). This does not answer why the Norwegian employees won with arguments that a ban would be an indirect religious and gender discrimination, which would be against the Norwegian Equality Law, as well as against the principles of human right to practice your religion. The result was that Norwegian employers cannot ban the use of *hijab* in the workplace. The Norwegian Equality and Discrimination Ombud has later stated that a ban would not only be against the principles of the Equality Law but also be against the new law against ethnic and religious discrimination from 2006. The main argument can be interpreted as an expression of the principle of intersectionality stating that a *ban would represent an indirect discrimination of*

religious minorities which is at the same time interpreted as an expression of indirect gender discrimination because it will target Muslim women workers.

The political process around the court cases is another factor that can explain the differences (Siim and Skjeie 2008). In Norway many organizations actively supported that the Hijab-cases should be tried as discrimination cases against the Norwegian Equality Law. The first cases were brought to court jointly by two organisations, the MIRA-centret, a National Union of Muslim Women's Organizations, and SMED, The National Union against Ethnic Discrimination [Sammenslutningen mot Etnisk Diskriminering], and they represented a collection of 14 different cases. They were presented as an expression of gender discrimination and a violation of the Gender Equality Law, the only possibility before the adoption of the Law against Ethnic and Religious Discrimination in 2006.

The Appeal Court agreed with the Ombud that a ban would have negative consequences for female employees who used *hijab*. As a consequence they found that a uniform, which formally could be seen to be gender neutral – would indeed produce gender specific effects. The main argument by the Ombud was that for Muslim women who used the headscarf for religious reasons it is a part of their personal integrity, and that there could arise situations where they would not be able to accept a job, if they did not have the right to wear the headscarf. A ban would therefore create considerable problems for these women. In two later decisions the Ombud has upheld this general framing of the problem. In the last decision a ban against the *hijab* was tried both according to the Equality and according to the Law against Ethnic and Religious Discrimination and was found to be a violation of both laws (Siim & Skjeie 2008).

Arguably the differences in the political and legal processes in the two countries contribute to explain the different outcomes. In Denmark cases concerning discrimination to the High Court and the cases have been presented by the trade unions as a case concerning discrimination on the labour market tried according to the Law against Discrimination on the Labour Market from 1996. In Norway the cases were decided by the Ombud and they were presented as equality cases and tried according to the strong Norwegian Equality Law. The implication is that different social and political actors were involved in the debate. In Denmark the employer's wish to ban the *hijab* was primarily considered to be a case about discrimination on the labour market presented by the trade unions. Whereas in Norway the same wish from the employers' was treated as a case about gender equality, which mobilized both Muslim organisations as the MIRA-centre, as well as Norwegian gender

equality- and human rights organisations. This also illustrates that Norway has a stronger state feminist legislation than Denmark (Siim og Skjeie 2008).

The headscarf case illustrates how various social and political actors deal with the reality of cultural and religious differences and illuminate the different policy framings and regulations of the intersections of gender, ethnicity and religion. Principles of gender equality and cultural diversity are often considered to be incompatible and sometimes even contradictory and non-negotiable principles. In the Danish case the main arguments referred to frames emphasising either religious discrimination on the labour market according to the Danish Non-discrimination Law from 1996 or the right of the employers to decide a dress-code. This contrasts with the Norwegian case, where the OMBUD linked arguments about religious discrimination with arguments about indirect gender discrimination. *I suggest that the Norwegian case points towards a promising political strategy that is able to connect two sets of universal principles: gender equality and ethno- religious equality.*

The cases illustrate that Muslim women's headscarves has become a symbol of cultural and religious differences that can both be seen to be in opposition to or integrated with the principles of gender equality. And the comparison between the Danish and Norwegian debates illuminates the different framings of the gender equality dilemma and different strategies to overcome it. The comparative case further illustrates the strength of the intersectionality approach if gender equality and ethnicity/race are interpreted as multiple intersecting forms of discrimination, not as competing equality claims. This position was successfully argued both by the Norwegian MIRA-centre and by gender organizations and employed by the Norwegian Ombud. One of the weakness of the intersectionality approach is that it is still to a large extent premised on regulation and framing within the nation state.

The trans-national European arena

The European VEIL- project⁴ has analysed debates about and regulations of Muslim headscarves in Europe. This has illustrated the close interconnection between gender, religion and ethnicity/race, which was analysed through comparative cross-cultural, multi-local and transnational analyses. The theoretical and methodological approach, which combines national frame analysis illuminating the

⁴ The VEIL-project « Values, Equality and Differences in liberal democracies. Debates about Muslim women's headscarf in Europe" is a 6. Framework project that analyse debates about and regulations of Muslim women's headscarves in eight European countries. See the project homepage: <http://www.veil-project.eu/>

main frames of social and political actors' with cross-national institutional analysis, contributed to illuminate the various logics of welfare, equality and immigration policies through nation state studies. The comparative approach is further linked with transversal studies of the role of EU institutions, discourses and policies (Berghahn 2008).

The main conclusion of the VEIL-project is that history, institutions and politics matter in the sense that they influence the different approaches to migration and integration. We found that there are different state-church relations and different models to regulate the veil in Europe: a) ban, b) soft and flexible regulation, and c) no-regulation. One group, the secular countries, like France and Turkey, is the most restrictive, and include the only countries that have a general ban on religious symbols in public institutions. Another group, Germany, the Netherlands and Austria, has soft regulations of the veil in public institutions based upon frames emphasising the neutrality of public employees. The last group, including state-churches like Denmark, the UK and Greece, which till recently have had the most liberal praxis of regulation of the headscarf in public institutions.

To sum up: The Veil-project found that all European countries have witnessed increased immigration and try to accommodate religious and cultural diversity by negotiating concerns for gender equality with principles of diversity. Secondly we found that migrant women have generally been absent from these negotiations. The Norwegian case is slightly different, because it points towards new strategies for negotiating principles of gender equality with accommodation of religious minorities. This could contribute to develop democratic integration policies based upon recognition of cultural diversity, which aims to include all groups in negotiations about two set of principles: gender equality and religious and ethnic equality or non-discrimination. From a normative perspective democratic integration this is a promising strategy, because it is premised on a multidimensional approach to equality that interprets relations between gender, ethnicity/race, religion and nationality as multiple intersecting forms of discrimination, not as contradictory and competing equality claims.

Rethinking citizenship and gender justice – linking the local, national and global

In the final section I first discuss how to overcome tensions in gender justice between equality and diversity and secondly return to theoretical models for rethinking of a multilevel approach to citizenship linking the local, national and global arena.

In political and academic discourses there is often a hierarchy of rights and different strategies to link different rights in practice. Liberal frames generally have given priority to cultural rights, especially religious, over women's rights and gender equality, while feminist scholars often give priority to gender equality over cultural equality and have tended to make gender equality a non-negotiable condition for multiculturalist practices. A main issue is thus to develop theories, policies and strategies capable of bridging claims for gender equality with claims for cultural diversity. Arguably the universal discourse about gender equality, women's and human rights must be interpreted in the light of cultural diversity and with sensitivity to particular contexts, including the diversity of spaces, places and social groups. It follows that strategies involving democratic negotiations and dialogues between social and political actors with all relevant parties are represented.

According to the American philosopher Nancy Fraser claims for recognition based upon respect and valuation of group difference, and claims for redistribution based on a fairer and a more equal division of resources are both principles that belong to different frames of justice that are analytically distinct (1997). The growing emphasis on claims for recognition and recognition struggles has been interpreted as a paradigmatic shift away from claims for redistribution. In practice there is often a dynamic interplay between the different dimensions and research has illuminated the many ways struggles for recognition and redistribution are often intertwined (Hobson 2007). Fraser's social justice frame was proposed as a way to link cultural recognition with economic redistribution, and she has recently added the principle of equal representation as a third political dimension of justice (2003). This is an important addition but Fraser has primarily discussed the social policies from the perspective of the nation states and has failed to address the global dimension.

The new local-global dilemma and the internal globalization represent new social and political conditions for citizenship research in terms of rights, participation and belongings. I suggest that a revised citizenship frame should include principles of equal rights, cultural recognition as well as participation and representation in democratic politics and that strategies to link the different dimensions of justice are not universal but contextual. Comparative research needs to analyse how different citizenship and gender regimes influence the intersections between multiculturalism as the recognition of cultural difference on the one hand and the struggle for gender equality and women's rights on the other hand. No countries have successfully linked gender equality, recognition of cultural and religious differences and democratic participation of

migrant minorities. The Nordic countries used to be regarded as models for gender equality, but none of them live up to Helga Maria Hernes' vision of 'women-friendly societies' "where injustice on the basis of gender would be largely eliminated without an increase in other forms of inequality, such as among groups of women".

The most difficult question is what a democratic and gendered version of a transnational and multilayered notion of citizenship should look like. Nira Yuval Davis (2006) has argued that the participatory politics of citizenship and trans-versal politics based upon dialogues between different groups of women about political values are key elements in developing a multilayered citizenship. Sarvasy and Longo (2006) have emphasized that incorporation of migrant domestic workers requires a multilayered notion of citizenship that reaches from the household to the global and includes paid care giving as citizenship. These approaches both point to a multilayered framework of citizenship, which is democratic, feminist and able to include the trans-national level in the politics. One of the future challenges is to develop this concept further in theory as well as in practice.

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